

Message Text

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IO/TRC - MR. FRIEDLAND

EUR/CAN - MR. BLAKEMORE

EA/J -MR. SMITH EUR/RPE-MR PREEG

AF/C - MISS HALL EUR/NE (INFO)

ARA/BR-MR SHUGART EUR/SOV (INFO)

EA/ANZ - MR. NELSON EUR/CE (INFO)

AF/E - MR. JANIN EUR/WE (INFO)

ARA/MEX - MR. KEANE EUR/EE (INFO)

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FM SECSTATE WASHDC

TO AMEMBASSY BERN

AMEMBASSY BONN

AMEMBASSY BRASILIA

AMEMBASSY BUCHAREST

AMEMBASSY CANBERRA

AMEMBASSY DAR ES SALAAM

USMISSION GENEVA

AMEMBASSY LONDON

AMEMBASSY MADRID

AMCONSUL MELBOURNE

AMEMBASSY MOSCOW

AMEMBASSY MEXICO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY STOCKHOLM

AMEMBASSY TOKYO

AMEMBASSY YAOUNDE

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TAGS: ETEL, ITU, SZ, GW, BR, RO, AS, TZ, UK, P, MX, UR,
CA, FR, SW, JA, CM.
SUBJECT: ITU COUNCIL CHAIRMAN REQUEST TO EXCEED BUDGET
CEILINGS.

REF: STATE 182022

FOLLOWING IS TEXT OF LETTER TO THE HONORABLE MOHAMED MILI,
SECRETARY GENERAL, INTERNATIONAL TELECOMMUNICATION UNION,
PLACE DES NATIONS, GENEVA, SWITZERLAND:

DEAR MR. MILI:

I AM WRITING REGARDING THE JULY 21 LETTER OF MR. GHAZAL,
CHAIRMAN OF THE ADMINISTRATIVE COUNCIL, REQUESTING
AUTHORITY FROM MEMBER ADMINISTRATIONS THAT THE COUNCIL
BE PERMITTED TO EXCEED THE TORREMOLINOS LIMITS FOR 1977,
1978 AND 1979. I ASK THAT YOU FORWARD A COPY OF THIS
LETTER TO MR. GHAZAL.

YOU WILL RECALL THAT THE QUESTION OF THE POSSIBLE NEED
TO EXCEED THE TORREMOLINOS CEILING FOR THE 1976 BUDGET
WAS A MATTER OF EXTENSIVE DEBATE IN THE 31TH SESSION
OF THE COUNCIL; AND THAT SEVERAL COUNCILLORS WERE OPPOSED
TO THE SENDING OF ANY TELEGRAM PRIOR TO A COMPLETE
EXAMINATION OF THE PROPOSED DRAFT BUDGET FOR 1976. THE
LANGUAGE IN DOCUMENT NO. 4717 PREPARED BY UNION HEAD-
QUARTERS IMPLIED A REQUEST FOR AUTHORITY TO EXCEED
LIMITS THROUGH 1979. HOWEVER, DISCUSSION IN COMMITTEE 1
INDICATED LITTLE SUPPORT FOR CONSIDERATION OF YEARS OTHER
THAN 1976. A SIMILAR SUGGESTION REGARDING AUTHORITY FOR
YEARS SUBSEQUENT TO 1976 WAS MADE IN THE SMALL WORKING
GROUP CHAIRED BY MR. BENABDEWLAH OF MOROCCO TO PREPARE A
DRAFT CIRCULAR TELEGRAM. THE SUGGESTION WAS NOT ACCEPTED.

IN LIGHT OF THIS HISTORY OF THE COUNCIL'S 30TH SESSION,
THE UNITED STATES ADMINISTRATION IS ASTONISHED THAT
THE CHAIRMAN'S LETTER CONTAINS A REQUEST CLEARLY WITHOUT
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COUNCIL SUPPORT. THERE IS NO LEGAL BASIS OR AUTHORITY
FOR THE REQUEST. THE TORREMOLINOS CONVENTION,
ADDITIONAL PROTOCOL I, PARAGRAPH 6 STIPULATES THAT THE
COUNCIL MAY EXCEED THE CEILING ONLY WITH THE APPROVAL
OF A MAJORITY OF MEMBERS OF THE UNION AFTER THEY HAVE BEEN
DULY CONSULTED, AND THAT WHEN THEY ARE CONSULTED, THEY
SHALL BE PRESENTED WITH A FULL STATEMENT JUSTIFYING THE
REQUEST TO EXCEED. MR. GHAZAL'S LETTER CONTAINS NO

SUCH JUSTIFICATION. PARAGRAPH 237 OF THE CONVENTION STATES THAT THE COUNCIL SHALL MAKE DECISIONS ONLY IN SESSION. IT IS CLEAR FROM THE DEBATE IN COUNCIL'S 30TH SESSION THAT THE REQUEST IN THE CHAIRMAN'S LETTER IS CONTRARY TO THE EXPLICIT WISHES OF A MAJORITY OF COUNCIL- LORS; AND THAT THE REQUEST ALSO IS CONTRARY TO THE CITED PROVISIONS OF THE CONVENTION.

IN VIEW OF THE FOREGOING, THE UNITED STATES ADMINISTRATION ASKS THAT YOU REQUEST MR. GHAZAL TO SEND A FOLLOW-UP LETTER TO ALL ADMINISTRATIONS. MY ADMINISTRATION, OF COURSE, HAS NO DESIRE TO PLACE THE CHAIRMAN IN A POSITION OF EMBARRASSMENT. THUS, THE LETTER'S EXACT PHRASING SHOULD BE CAREFULLY CHOSEN BUT SHOULD MAKE QUITE CLEAR THAT HIS EARLIER LETTER WAS IN THE NATURE OF A PERSONAL INQUIRY WITHOUT COUNCIL AUTHORIZATION, AND THERE IS NO REQUIREMENT THAT IT BE ANSWERED. IN ADDITION, IT WOULD BE DESIRABLE IF THE LETTER POINTED OUT THAT ANY REPLIES RECEIVED WILL BE CONSIDERED ADVISORY ONLY AND NOT BINDING ON THE 31ST SESSION.

ASIDE FROM ITS UNAUTHORIZED NATURE, THE PREMISE OF THE JULY 21 LETTER SEZS A REGRETTABLE NEGATIVE TONE AS A BACKGROUND AGAINST WHICH THE COUNCIL WILL APPROACH THE TASK OF ASSURING AN ADEQUATE BUDGET FOR 1977 WITHIN THE TORREMOLINOS CEILING. IT IS THE COUNCIL'S RESPONSIBILITY TO ENSURE THAT THE UNION IS MANAGED AND OPERATED IN AN EFFICIENT AND COST-CONSCIOUS MANNER. THIS OBJECTIVE CAN BE ACCOMPLISHED WITH

THE HELP AND COOPERATION OF YOUR DISTINGUISHED SELF AND THE STAFF AT UNION HEADQUARTERS. TO APPROACH OUR RESPECTIVE RESPONSIBILITIES WITH AN OPEN
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AUTHORITY TO EXCEED TORREMOLINOS CEILINGS IS NOT A PROPER SETTING EITHER FISCALLY OR PSYCHOLOGICALLY. RATHER, THE COUNCIL SHOULD EXAMINE A DRAFT BUDGET DETERMINED TO STAY WITHIN THE CEILING. SOME FUNCTIONS OF THE UNION ARE ESSENTIAL, AND OTHER ACTIVITIES MEET LESS ESSENTIAL OR MARGINAL REQUIREMENTS. WITH YOUR FULL COOPERATION WE CAN IDENTIFY THE LATTER, AND SEE THAT THEY ARE CUT OR CURTAILED, IF NECESSARY, IN ORDER TO STAY WITHIN THE

ESTABLISHED BUDGET CEILINGS. WE WERE ABLE TO ACCOMPLISH THIS OBJECTIVE AT THE 30TH SESSION AND HOPEFULLY WILL BE EQUALLY SUCCESSFUL IN THE 31ST SESSION.

I CAN NOT AGREE WITH THE STATEMENT IN MR. GHAZAL'S LETTER THAT "THE ADMINISTRATIVE COUNCIL CAN NOT MAKE

A DETAILED STUDY OF THE BUDGET UNTIL THE END OF THE SESSION WHEN ALL DECISIONS WITH FINANCIAL IMPLICATIONS HAVE BEEN ADOPTED". AT ITS 30TH SESSION THE COUNCIL HAD BEFORE IT THE ORGANIZATION AND MANAGEMENT STUDY, LENGTHY DOCUMENTATION REQUIRING MANY HOURS' EXAMINATION AND DISCUSSION IN COMMITTEE 2. CONSEQUENTLY IT WAS UNABLE TO CONCENTRATE ON BUDGET MATTERS UNTIL ITS LAST FEW DAYS, THUS UNAVOIDABLY ADDING TO THE BURDEN CARRIED BY MR. RUTSCHI, COMMITTEE 1'S ABLE CHAIRMAN. EVEN WITH THE PRESSURE OF TIME, WITH HIS ABLE LEADERSHIP AND THE HARD WORK OF ALL COUNCILLORS, WE WERE ABLE TO ACT IN A RESPONSIBLE FISCAL MATTER. THE 31ST SESSION WILL NOT BE FACED WITH THE EXTRAORDINARY TASK OF EXAMINING A LENGTHY ORGANIZATION AND MANAGEMENT STUDY, AND THUS CAN TURN ITS ATTENTION TO BUDGET MATTERS MUCH EARLIER.

I SET FORTH THE VIEWS OF THE UNITED STATES IN A SPIRIT OF COOPERATION AND COMMON PURPOSE WITH YOU AND YOUR RESPECTED COLLEAGUES AT UNION HEADQUARTERS. IT IS OUR JOINT INTEREST TO ENSURE THAT THE UNION IS AN ORGANIZATION OF THE GREATEST POSSIBLE SERVICE AND UTILITY TO THE WORLD'S INTERNATIONAL TELECOMMUNICATIONS COMMUNITY, AND THAT ITS PERFORMANCE CONTINUE IN THE LONG HONORED TRADITION OF THE INTERNATIONAL TELECOMMUNICATION UNION.

WITH MY PERSONAL REGARDS. RESPECTFULLY, JOHN J. O'NEILL,
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JR., DIRECTOR, OFFICE OF INTERNATIONAL COMMUNICATIONS
POLICY, DEPARTMENT OF STATE. INGERSOLL

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Disposition Case Number: n/a
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Disposition Event:
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To: BERN MULTIPLE
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